

REMARKS

Claims 5-7, 10, and 14 are all the claims pending in the present application, claims 1-4, 8, 9, 11-13, and 15 having been canceled as indicated herein. Claims 5-10 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. With respect to the prior art rejections, in the present Office Action, the Examiner adds new references to support the claim rejections, and adds new arguments in the *Response to Argument* section of the present Office Action. Specifically, claims 1-4 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by O'Tool (US Patent No. 6,130,602) or Sano (US Patent No. 5,682,603). Claim 15 is rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by O'Tool, Sano, or Tanaka (US Patent No. 6,011,483), or Kawashima (US Patent No. 5,495,233). Claims 8 and 9 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over O'Tool (or Sano) in view of Froschermeier (US Patent No. 5,525,992) or Tanaka. Claim 10 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over O'Tool (or Sano) and Froschermeier (or Tanaka) in view of Burgess (US Patent No. 6,031,465). Claim 14 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over O'Tool (or Sano) in view of Bickley (US Patent No. 5,430,441).

§112, second paragraph, Rejections - Claims 5-10

Applicant amends claims 5-7, 10 and 14, as indicated herein, and Applicant believes that these amendments obviate the Examiner's rejections of claims 5-7, 10, and 14 under 35 U.S.C. § 112, second paragraph. Claims 8 and 9 are cancelled.

§102(b) Rejections (O'Tool or Sano) - Claims 1-4 and 11

Claims 1-4 and 11 are cancelled without prejudice or disclaimer.

§103(a) Rejections (O'Tool (or Sano) / Froschermeier or Tanaka - Claims 8 and 9

Claims 8 and 9 are cancelled as indicated herein without prejudice or disclaimer.

§103(a) Rejections (O'Tool (or Sano) / Froschermeier (or Tanaka) / Burgess - Claim 10

The Examiner applies several references to support the rejection of claim 10, however it appears that the Examiner believes that only Burgess satisfies the specific features set forth in claim 10 with respect to the vibration detecting switch control unit. The Examiner alleges that Burgess teaches an on vehicle DSRC apparatus with power saving features comprising a vibration detecting switch control unit to power on and off when the vibration is at a predetermined level (col. 5, lines 21-51). In response, Applicant submits argue that even if, *arguendo*, a vibration detecting switch control unit of Burgess powers on and off when the vibration is at a predetermined level, nowhere does Burgess disclose or suggest the specific feature of turning off a second power switch when a vibration level is lower than a predetermined level and that the second power switch is turned on upon detection of the vibration at a level higher than said predetermined level.

§103(a) Rejections (O'Tool (or Sano) / Burgess) - Claims 12 and 13

Claims 12 and 13 are cancelled as indicated herein without prejudice or disclaimer.

§103(a) Rejection (O'Tool) or Sano / Bickley) - Claim 14

In the previous Amendment, Applicants argued that the Examiner does not even identify the component of Bickley that allegedly corresponds to the claimed “connector provided on the output side of said battery,” and is allegedly, “structured as to allow said battery to be removable.” In response, the Examiner alleges:

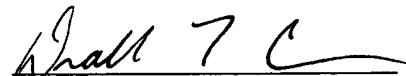
With regard to claim 14, Bickley discloses connector structured to allow the battery to be removable is shown in Figs. 3-4 and in col. 5, lines 41-53. This office Action makes corrections for some errors in the previous Office Action and is Non-Final.

In response, Applicant submits that the Examiner still has not specifically identified which element(s) of Figs 3 and 4 allegedly correspond to the claimed connector, and it is not apparent that such a component even exists. Furthermore, even if, *arguendo*, such an element exist, there is no disclosure or suggestion in Bickley that such a connector is provided on the opposite side of the battery and is structured as to allow said battery to be removable. Therefore, at least based on the foregoing, Applicant submits argue that dependent claim 14 is patentably distinguishable over the applied references, either alone or in combination.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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